

REMARKS

Claims 21–24, 27, 28, 30, 32–35, 37, and 38 are currently pending in this application. Claims 21, 27, 28, 30, 37, and 38 have been amended to further clarify certain features of these claims to expedite prosecution, and without prejudice to pursuing these claims in unamended or other forms in a continuation, divisional, or other application. No claims have been added or cancelled.

In the Office Action mailed February 6, 2009, pending claims 27, 28, 30, and 37 were rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) Claims 27, 28, 30, and 37 were rejected under 35 U.S.C. § 103(a) over the combination of U.S. Patent No. 7,269,442 to Sato ("Sato"), U.S. Pat. App. Pub. No. US 2004/0097258 to Lee ("Lee"), and U.S. Pat. App. Pub. No. US 2002/0158987 to Shimizu ("Shimizu"); and

(B) Claims 21–24, 32–35, and 38 were allowed.

The undersigned attorney wishes to thank Examiners Wang and Ho for engaging in a telephone conference on April 15, 2009 to discuss the present Office Action, the applied references, and the distinctions between the pending claims and the applied references. The following remarks summarize and expand upon the results of the April 15th telephone conference. The applicant requests that this paper constitute the applicant's Interview Summary. If the Examiner notices any deficiencies with this paper in this regard, they are encouraged to contact the undersigned attorney to correct such deficiencies.

A. Response to the Section 103 Rejections of Claims 27, 28, 30, and 37
(Sato, Lee, and Shimizu)

Claims 27, 28, 30, and 37 were rejected under 35 U.S.C. § 103(a) over the combination of Sato, Lee, and Shimizu. The applicant thanks the Examiner for providing a detailed explanation of his position regarding these references during the

April 15th telephone conference. Without conceding the merits of these rejections, the applicant has elected to amend claim 27 to recite that the body has "a first end, and a second end opposite the first end, wherein the first end and the second end are configured to be electrically coupled to the portable electronic device" in combination with " wherein the first end and second end are configured to positionally and rotatably fix the apparatus." Therefore, claim 27 includes several features at least generally similar to the features in allowable claim 21 and, as discussed during the April 15th telephone conference, claim 27 should be in condition for allowance. Accordingly, the applicant respectfully requests that the Section 103 rejection of claim 27 be withdrawn.

Claim 28 depends from base claim 27. Accordingly, the Section 103 rejection of dependent claim 28 should be withdrawn for at least the foregoing reasons, and for the additional features of this dependent claim.

Independent claims 30 and 37 have been amended to include several features generally similar to those of claim 27 (e.g., a first end and a second end that are configured to be electrically coupled to a portable electronic device). Accordingly, claims 30 and 37 are patentable over Sato, Lee, and Shimizu for at least the reasons discussed above with respect to claim 27, and for the additional features of these independent claims. Therefore, the Section 103 rejections of claims 30 and 37 should be withdrawn.

B. Allowed Claims

The applicant thanks the Examiner for allowing claims 21–24, 32–35, and 38. Claim 38 has been amended in this response to improve readability and not for any reasons relating to patentability. Accordingly, the amendment to claim 38 does not alter the conclusion that claim 38 is allowable. Although the undersigned attorney agrees with the Examiner's conclusion that claims 21–24, 32–35, and 38 are allowable, the undersigned attorney notes that these claims may be allowable for reasons other than those identified by the Examiner and does not concede that the Examiner's characterization of the terms of these claims and the prior art are correct.

Conclusion

In view of the foregoing, the pending claims comply with the requirements of 35 U.S.C. § 112 and are patentable over the applied art. The applicants accordingly request reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact David Groesbeck at (206) 359-8065.

Respectfully submitted,
Perkins Coie LLP



David J. Groesbeck
Registration No. 62,709

Date: April 29, 2009

Correspondence Address:

Customer No. 25096
Perkins Coie LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000